

ORDINANCE NO. 2016-1003

INTRODUCED BY: Shannon Rhoda

AN ORDINANCE OF THE CITY OF FORT LUPTON, COLORADO AMENDING CHAPTER 16, ARTICLE II, SECTION 16-32 OF THE FORT LUPTON MUNICIPAL CODE TO ALLOW FOR INDOOR AND OUTDOOR GUN RANGES AS A SPECIAL USE PERMIT IN THE "A" AGRICULTURAL DISTRICT.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO, AS FOLLOWS:

WHEREAS, Section 16-32 of the Fort Lupton Municipal Code does not specifically permit indoor or outdoor gun ranges, either as a use by right or a special use permit, in the "A" Agricultural District of the Zoning Regulations of the City; and

WHEREAS, City Council finds that it is necessary to allow indoor and outdoor gun ranges, public or private, within the "A" Agricultural District in order to promote recreation and tourism to the City; and

WHEREAS, City Council finds that it is appropriate for indoor and outdoor gun ranges to be permitted as a special use in the "A" Agricultural District in the City, provided any gun range is granted approval through a special use review.

WHEREAS, City Council finds that oil, gas and other mineral exploration and production shall be removed as a special use in the "A" Agricultural District because and Oil and Gas Permit under Chapter 9 of the Code is the proper land use application process for such applications; and

WHEREAS, City Council deems it necessary to amend certain Sections of Chapter 16, Article II of the Fort Lupton Municipal Code; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO:

Section 1: Chapter 16, Article II, Section 16-32(c) of the Fort Lupton Municipal Code is repealed and reenacted to read as follows:

Sec. 16-32. A Agricultural District.

(c) Special uses. The following are allowed subject to the special use review and approval procedures of this Chapter:

- (1) The keeping of livestock for commercial use. This shall not include a feedlot.
- (2) Airports, public and private.
- (3) Public utility facilities.
- (4) Schools, public and private.
- (5) Mining, removal and processing of gravel and/or sand.

- (6) Temporary asphalt or cement processing plants.
- (7) Small wind energy systems are permitted, provided that they meet the qualifications for a building permit set forth in Section 18-9 of this Code.
- (8) Indoor gun ranges, public or private.
- (9) Outdoor gun ranges, public or private.

Section 2: SEVERABILITY. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The City Council hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 3. REPEALER. All ordinances or resolutions, or parts thereof, in conflict with this ordinance or any part hereof are hereby repealed to the extent of such inconsistency or conflict. The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify or change in whole or in part, any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining force for the purpose of sustaining any judgment, decree or order which can be rendered, entered or made such actions, suits, proceedings or prosecutions.

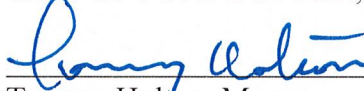
INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 15th day of August 2016.

PUBLISHED in the Fort Lupton Press the 24th day of August 2016.

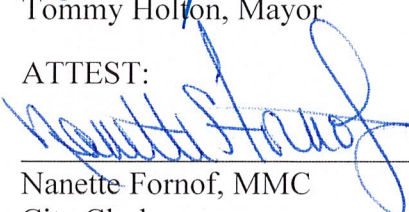
FINALLY READ BY TITLE ONLY, PASSED AND ORDERED FINALLY PUBLISHED by title only this 6th day of September 2016.

EFFECTIVE (after publication) the 14th day of October 2016.

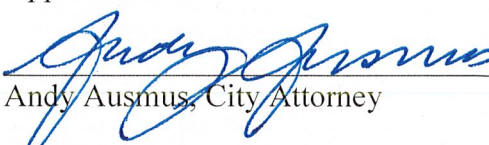
CITY OF FORT LUPTON, COLORADO


Tommy Holton, Mayor

ATTEST:


Nanette Fornof, MMC
City Clerk

Approved as to form:


Andy Ausmus, City Attorney

